TRAVIS C. BARHAM* (AZ Bar No. 024867) Alliance Defense Fund 15333 N. Pima Road, Suite 165 Scottsdale, Arizona 85260 (480) 444-0020 (480) 444-0028—facsimile bull@telladf.org DAVID A. FRENCH* (TN Bar No. 16692; KY Bar No. 86986) Alliance Defense Fund 12 Public Square Columbia, Tennessee 38401 (931) 490-0591 (931) 490-0591 (931) 490-0591 (931) 490-7989—facsimile dirench@telladf.org DAVID J. HACKER (CA Bar No. 249272; IL Bar No. 6283022) Alliance Defense Fund 10 Parkshore Drive. Suite 100 Folsom, California 95630 (916) 932-2850 (916) 932-2850 (916) 932-2850 (916) 932-2851—facsimile dhacker@telladf.org Attorneys for Plaintiffs College Republicans at San Francisco State University, Leigh Wolf and Trent Downes * Pro hac vice admission UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION COLLEGE REPUBLICANS AT SAN FRANCISCO STATE UNIVERSITY, et al., Plaintiffs, v. ROBERTA ACHTENBERG, et al., Defendants. STIPULATION AND PROPOSED ORDER RE FILING FIRST AMENDED COMPLAINT AND RESPONSIVE PLEADINGS	1	BENJAMIN W. BULL (AZ Bar No. 009940)		
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OAKLAND DIVISION COLLEGE REPUBLICANS AT SAN FRANCISCO STATE UNIVERSITY, et al., Plaintiffs, V. ROBERTA ACHTENBERG, et al., Defendants. OAKLAND DIVISION Case No. C-07-3542-WDB Hon. Wayne D. Brazil STIPULATION AND PROPOSED ORDER REFILING FIRST AMENDED COMPLAINT AND RESPONSIVE PLEADINGS	10			
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COLLEGE REPUBLICANS AT SAN FRANCISCO STATE UNIVERSITY, et al., Plaintiffs, V. ROBERTA ACHTENBERG, et al., Defendants. Case No. C-07-3542-WDB Hon. Wayne D. Brazil STIPULATION AND PROPOSED ORDER REFILING FIRST AMENDED COMPLAINT AND RESPONSIVE PLEADINGS		OAKLAND DIVISION		
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v. STIPULATION AND PROPOSED ORDER RESPONSIVE PLEADINGS Defendants. Plaintiffs, Hon. Wayne D. Brazil STIPULATION AND PROPOSED ORDER RESPONSIVE PLEADINGS AND RESPONSIVE PLEADINGS	22	D1 1 100	** *** ***	
v. ROBERTA ACHTENBERG, et al., Defendants. STIPULATION AND PROPOSED ORDER RESILING FIRST AMENDED COMPLAINT AND RESPONSIVE PLEADINGS		Plaintiffs,	Hon. Wayne D. Brazil	
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Defendants. Defendants.	25	ROBERTA ACHTENBERG, et al.,	AND RESPONSIVE PLEADINGS	
27	23	Defendants		
	26	Defendants.		
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RECITALS

- A. On July 9, 2007, Plaintiffs College Republicans at San Francisco State University, Leigh Wolf and Trent Downes filed this action against twenty-seven defendants, including each individual trustee of the Board of Trustees of the California State University System ("CSU"), the Governor of the State of California, the Lieutenant Governor of the State of California, the Speaker of the California State Assembly, the California State Superintendent of Public Education, the CSU Chancellor, the President of San Francisco State University ("SFSU"), as well as two individual employees of SFSU.
- B. The parties subsequently agreed to minimize the time and expense of litigation, based upon defendants' representation through counsel that all relevant SFSU officials and CSU trustees will be bound by any orders issued by this court.

STIPULATION

It is hereby stipulated by Plaintiffs and Defendants as follows:

- 1. No later than August 31, 2007, Plaintiffs will file a first amended complaint against the following defendants only: **Charles B. Reed**, individually and in his official capacity as Chancellor of the California State University; **Robert A. Corrigan**, individually and in his official capacity as President of San Francisco State University; **J. E. Saffold**, individually and in her official capacity as Vice President for Student Affairs at San Francisco State University; and **Joey Greenwell**, individually and in his official capacity as Director of the Office of Student Programs and Leadership Development at San Francisco State University. The filing of the first amended complaint will, by operation of law, serve to dismiss the remaining defendants without prejudice.
- 2. California State University's Office of General Counsel is authorized to and will accept service of process on behalf of these four defendants to be named in the first amended complaint.
- 3. By September 12, 2007, the four defendants named in the first amended complaint will file and serve their responsive pleadings to the first amended complaint.
- 4. Any orders for injunctive, declaratory, or monetary relief issued by this court against any of these four defendants shall be binding and applicable to the campus or campuses to which the order relates and, as applicable, to the Trustees of the California State University. Chancellor Reed STIPULATION AND PROPOSED ORDER; C-07-3542-WDB 2

1	and President Corrigan will take all necessary and appropriate steps to implement any such orders of	
2	this court. Chancellor Reed and Pr	resident Corrigan represent that they have the authority to
3	implement any order issued by this court at CSU and SFSU.	
4	5. Should discovery reveal	that the trustees were personally and directly involved in the
5	facts that gave rise to Plaintiffs' claims in this case, Plaintiffs may amend their complaint as necessary	
6	IT IS SO STIPULATED.	
7		ALLIANCE DEFENSE FUND
8	Dated: August 23, 2007	/s/David J. Hacker David J. Hacker (SBN 249272) Attorneys for Plaintiffs College Republicans at San
10		Francisco State University, Leigh Wolf and Trent Downes
11		
12 13		CALIFORNIA STATE UNIVERSITY OFFICE OF GENERAL COUNSEL
14	Dated: August 23, 2007	/s/Andrea M. Gunn Andrea M. Gunn (SBN 212259) Attorneys for Defendants Charles B. Reed, Robert A.
1516		Corrigan, J. E. Saffold, and Joey Greenwell
17		<u>ORDER</u>
18	Good cause appearing therefor:	
19	1. Pursuant to their right to amend under Fed. R. Civ. P. 15(a), Plaintiffs shall file an	
20	serve their first amended complaint by August 31, 2007, consistent with the terms of the foregoin	
21	Stipulation.	
22	2. Defendants shall file and serve their responsive pleadings by September 12, 2007.	
23	PURSUANT TO STIPULATION, IT IS SO ORDERED.	
24		
25	Dated:	HON. WAYNE D. BRAZIL
26		UNITED STATES MAGISTRATE JUDGE
27		
28		
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STIPULATION AND PROPOSED ORDER; C-07-3542-WDB - 3

CERTIFICATE OF SERVICE

I hereby certify pursuant to 28 U.S.C. § 1746 that on August 23, 2007, I electronically filed the parties Stipulation re: Filing First Amended Complaint and Responsive Pleadings with the Clerk of Court using the ECF system, which automatically sends an electronic notification to the following attorneys of record:

Christine Helwick, Esq.
Andrea M. Gunn, Esq.
California State University
Office of General Counsel
401 Golden Shore, Fourth Floor
Long Beach, California 90802-4210
(562) 951-4500
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agunn@calstate.edu

Attorney for Defendants

This the 23rd day of August, 2007.

/s/David J. Hacker DAVID J. HACKER Attorney for Plaintiffs